



U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

September 23, 2019

MUCKROCK
DEPARTMENT MR 27619
411A HIGHLAND AVE
SOMERVILLE, MA 02144-2516

FOIPA Request No.: 1355388-000
Subject: PATRICK, WILLIAM CAPERS, III

Dear Mr. Lindsey:

You were previously advised we were consulting with another agency concerning information related to your Freedom of Information/Privacy Acts (FOIPA) request.

A portion of that information has been returned to the FBI and is enclosed. The documents were reviewed under the FOIA/FOIPA, Title 5, United States Code, Sections (s) 552/552a. Below you will find check boxes under the appropriate statute headings which indicate the types of exemptions asserted to protect information which is exempt from disclosure. The appropriate exemptions are noted on the enclosed pages next to redacted information. The checked exemptions used to withhold information are further explained in the enclosed Explanation of Exemptions.

Section 552		Section 552a
<input type="checkbox"/> (b)(1)	<input type="checkbox"/> (b)(7)(A)	<input type="checkbox"/> (d)(5)
<input type="checkbox"/> (b)(2)	<input type="checkbox"/> (b)(7)(B)	<input type="checkbox"/> (j)(2)
<input type="checkbox"/> (b)(3)	<input checked="" type="checkbox"/> (b)(7)(C)	<input type="checkbox"/> (k)(1)
<u>50 USC 3024 (j)(1)</u>	<input type="checkbox"/> (b)(7)(D)	<input type="checkbox"/> (k)(2)
	<input checked="" type="checkbox"/> (b)(7)(E)	<input type="checkbox"/> (k)(3)
	<input type="checkbox"/> (b)(7)(F)	<input type="checkbox"/> (k)(4)
<input type="checkbox"/> (b)(4)	<input type="checkbox"/> (b)(8)	<input type="checkbox"/> (k)(5)
<input type="checkbox"/> (b)(5)	<input type="checkbox"/> (b)(9)	<input type="checkbox"/> (k)(6)
<input checked="" type="checkbox"/> (b)(6)		<input type="checkbox"/> (k)(7)

5 page(s) were reviewed and 5 page(s) are being released.

Please see the paragraphs below for relevant information specific to your request and the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

☐ Deletions were made

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. "Part 1" of the Addendum includes standard responses that apply to all requests. "Part 2" includes additional standard responses that apply to all requests for records on individuals. "Part 3" includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in

all correspondence concerning your request.


You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, D.C. 20001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following website: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.



See additional information which follows.

Sincerely,



David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Information Management Division

Enclosure(s)

This material is being provided to you at no charge.

FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum includes information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes additional standard responses that apply to all requests for records on individuals. Part 3 includes general information about FBI records. For questions regarding Parts 1, 2, or 3, visit the www.fbi.gov/foia website under "Contact Us." Previously mentioned appeal and dispute resolution services are also available at the web address.

Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIA [5 U.S.C. § 552(c) (2006 & Supp. IV (2010))]. FBI responses are limited to those records subject to the requirements of the FOIA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.
- (ii) **National Security/Intelligence Records.** The FBI can neither confirm nor deny the existence of national security and foreign intelligence records pursuant to FOIA exemptions (b)(1), (b)(3), and PA exemption (j)(2) as applicable to requests for records about individuals [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2); 50 U.S.C § 3024(i)(1)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that national security or foreign intelligence records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records for Incarcerated Individuals.** The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

- (i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching those systems or locations where responsive records would reasonably be found. A reasonable search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled and maintained by the FBI in the course of fulfilling law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization and encompasses the records of FBI Headquarters (FBIHQ), FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide and includes Electronic Surveillance (ELSUR) records. For additional information about our record searches visit www.fbi.gov/services/information-management/foipa/requesting-fbi-records.
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheets. These criminal history records are not the same as material in an investigative "FBI file." An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.
- (iv) **The National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private citizens cannot request a name check.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy; for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/25/2002

William C. Patrick III, DOB 07/24/1926, SSAN 250-42-8967 was interviewed at his residence, 5659 Etzler Road, Frederick, Maryland, telephone number (301) 662-0031 where Patrick maintains a basement office. Patrick was advised of the identity and purpose of the interviewing agents. Also present during the interview was AUSA [REDACTED] Patrick provided the following information.

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Patrick was being interviewed about specific anthrax production and drying techniques, in particular drying though acetone extraction. Patrick began the interview by clarifying that any time he referred to his simulants as anthrax, he was in fact referring to bacillus globigii (BG). Patrick stated that he developed the acetone drying method in his pilot plant program at USAMRIID, Fort Detrick. Acetone drying was one method that was explored for the use in plant production of bacillus anthracis (BA). Patrick knows of several drying methods, to include; freeze drying, spray drying and vacuum drying. Patrick stated that freeze drying was his preferred method in large scale production. Freeze drying BA is safer and produces better (smaller) particle sizes. However, acetone drying would be the most efficient method of drying BA in a small scale or an "at home" facility.

Patrick stated that in 1998 he taught a group of approximately twelve Dugway scientist at Dugway Proving Grounds, Life Sciences Division, Utah on the specific technique of acetone drying anthrax. [REDACTED] were Patrick's contacts at the Dugway facilities. Bacillus globigii was used as the stimulant in places of using bacillus anthracis (anthrax). Patrick stated that Dugway provided the lab facilities for drying demonstration and that during the course of that demonstration the Dugway scientist would come and go from the facility. Patrick could not identify the names of the scientist he taught. Patrick showed the interviewing agents an aliquot of approximately 100 milliliters of the simulant containing silica which was produced at Dugway in 1998.

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Patrick provided the following protocol for drying anthrax through acetone extraction. After the anthrax, or simulant has been grown, sporulated and concentrated into a cake or pellet the residual water needs to be removed. The spore pellet is

Investigation on 02/14/2002 at Frederick, Maryland

File # 279A-WF-222936-302 - 652 Date dictated 02/25/2002

by SA [REDACTED]

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279A-WF-222936-302

Continuation of FD-302 of William C Patrick III, On 02/14/2002, Page 2

[redacted] In b7E
other words, [redacted]

[redacted] This
process is then repeated. However, during the final homogenization
process, [redacted] The importance
of [redacted] is two fold.
First, [redacted]

[redacted]
[redacted]
[redacted] Secondly, [redacted]
[redacted]

Patrick stated that he knows of no residual characteristics that acetone drying that would have on the spores produced or that would provided a signature of the drying process. Patrick also stated that the acetone drying method was more dangerous than other drying methods due to the volatility of acetone and the production of large amounts of contaminated acetone waste. Patrick continued by stating freeze drying was the method used in the offensive weapons program at USAMRIID, Fort Detrick, Maryland. Prior to freeze drying, the product only required [redacted]

[redacted] In b7E
addition, the freeze drying process produced small particle sizes, and those particles were white in color. In addition, those white particles could then be tinted with dye to be any color the producer desired. Patrick stated that simulant color could be changed to match the environment which it was deployed. For example, the addition of carbon black can make the simulants look like road surfaces.

Patrick worked at Fort Detrick from 1951 to 1986 and was the Chief of Product Development Division. Patrick worked in pilot plant, Building 470 at Fort Detrick. Patrick stated that he never worked with the Ames strain of anthrax, but did work with VEE, tularemia and valum 1B. According to Patrick, Ames was not present at Fort Detrick until some time in 1981. Other key scientist that Patrick worked with, included Tom Dashielle (deceased), [redacted]
[redacted] Patrick stated that he had

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279A-WF-222936-302

Continuation of FD-302 of William C Patrick III, On 02/14/2002, Page 3

conflicts with [redacted] and that [redacted] believes [redacted] Patrick believes [redacted] is still alive and living Florida. In addition to working at the pilot plant, Patrick also worked at the Pine Bluff Production facility in Arkansas. Patrick's contact at Pine Bluff was Tom Dashielle.

b6
b7C

Patrick's work at Fort Detrick which involved bacillus anthracis (BA) focused on development of production methods. These fields focused on the growth of BA ranging from, pH of growth media, the gas environment of the BA cultures (oxygen enriched condition), stabilization of spore production, and aerosolization of spores and addition of either acid or alkaline silica to the final product. Patrick stated that during his time at Fort Detrick they performed technical studies on approximately [redacted]

b7E

Patrick has produced training videos in collaboration with the Department of Justice and Louisiana State University (LSU) for first responders working an anthrax incident. Patrick showed these videos to the interviewing agents. One video detailed the proper way of decontaminating and anthrax spill. The take home message of that video is that BA spill must be properly wetted with a soapy water and light bleach solution. Application of the solution is done with a saturated towel. Spraying the solution will only agitate the BA powder, causing the continued aerosolization of the BA powder. The second video demonstrated the physical differences between how a crude and weaponized (powdered) spore preparation behave. Crude preparations would have particle sizes of [redacted] and would require approximately [redacted] [redacted] By contrast powder BA would have a particle size of [redacted] and [redacted] particles.

b7E

Patrick speculated on the anthrax material that was sent to Senator Tom Daschle. Patrick stated that he believes the Daschle material did not have any [redacted] added because sample material was easily dissolved into an aqueous solution when assayed. Patrick believes that the sender of the anthrax (BA) letters intended the victim to be the receiver of the letter.

b7E

279A-WF-222936-302

Continuation of FD-302 of William C Patrick III, On 02/14/2002, Page 4

In addition to [REDACTED]

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Patrick also helped the Department of Defense (DoD) produce a video on the principles of biological warfare. The video was produced at Maxwell Air Force Base, approximately three years ago. Patrick stated that the video had been released through the Freedom of Information Act and was used in a Public Broadcasting System (PBS) Nova video. Patrick was not pleased that the DoD video had been released. Patrick stated that the DoD portion of the Nova video discussed how the military would have used biological and chemical agents to incapacitate a given population over the course six hour to twenty-one day period.

Patrick pointed out that the Western concept of production of biological warfare materials is far different from the Middle East ideology. In the West, the use of Biological Level Safety (BLS)-2 and BLS -3 laboratories is seen as essential, while the Mid-East the programs use little if any protection. In addition, Patrick stated that the Mid-East sporulation process produced a very low spore yield compared to the methods used at Fort Detrick and in the Soviet programs.

Patrick described another drying method that could be used for producing small particle sizes of BA. Using what Patrick described as a [REDACTED] weapons grade BA powder could be produced. [REDACTED] would have the

b7E

[REDACTED] Patrick stated that the [REDACTED] for BA production. [REDACTED]

[REDACTED] would be the most probable place to discover any residual BA contamination.

279A-WF-222936-302

Continuation of FD-302 of William C Patrick III, On 02/14/2002, Page 5

In addition, Patrick contended that the use of [redacted] was not advantageous in producing weapons grade BA particles. [redacted] nature of the powder. Patrick stated that there were [redacted] process commonly used, to include; [redacted] Patrick stated he could differentiate between [redacted] BA spores, but could not discriminate between the various [redacted]

b7E

Patrick concluded the interview with two comments. First Patrick asserted that he was not the one who sent the anthrax letters. Secondly, Patrick was curious as to his limitation to access to the anthrax product that was sent to Senators Daschle and Leahey. Patrick stated that due to his extensive biological weapons background, he was one of a few individuals that could aid the FBI in characterization of the anthrax powder. Patrick stated he would help in any way he could.